

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FELIX W. ENDICO, Individually and Derivatively on Behalf
of Nominal Defendant UFS. Industries, Inc.

Plaintiff,

-against-

WILLIAM A. ENDICO and ACE ENDICO CORP.

Defendants

and

UFS INDUSTRIES, INC.,

Nominal Defendant.

**STIPULATION AND
[PROPOSED] ORDER
WITH RESPECT TO
SERVICE OF PROCESS
AND TIME TO RESPOND
TO THE COMPLAINT**

Index No. 7:19-cv-07231

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IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for plaintiff Felix W. Endico and counsel for defendants William A. Endico and Ace Endico Corp. ("Defendants") as follows:

1. Defendants' undersigned counsel has accepted service of the summons issued by this Court and the complaint on behalf of each of the Defendants, and such service shall be deemed to be accepted as of August 9, 2019;
2. Defendants expressly waive any and all defenses with respect to the sufficiency of process or the service of process, and otherwise expressly reserve all other defenses; and
3. The time for Defendants to answer, move or otherwise respond to the complaint shall be extended to and including October 10, 2019.

Dated: August 9, 2019

Seward & Kissel LLP

By: s/ Jack Yoskowitz

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Attorneys for Plaintiff Felix W. Endico

SO ORDERED:

Hon. Vincent L. Briccetti
United States District Judge